

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

JAMES D. COSTELLO, ET AL.
Plaintiffs,

v.

HOME DEPOT U.S.A., INC.,
Defendant.

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CIVIL ACTION NO.
3:11-CV-00953 (JCH)

APRIL 30, 2012

**ORDER OF TRANSFER, IMPLEMENTING AND UPDATING
RULING GRANTING MOTION TO SEVER (Doc. No. 72)**

On April 10, 2012, this court granted defendant, Home Depot U.S.A., Inc.'s ("Home Depot"'s) Motion to Sever and Transfer. See Ruling Re: Mot. to Sever (Doc. No. 72). In that Ruling, the court granted Home Depot's Motion to Sever the claims of the plaintiffs into separate actions, with plaintiffs grouped by the districts in which they had worked for Home Depot. See id. at 10. The court also granted Home Depot's Motion to Transfer the claims of the non-Connecticut plaintiffs to the districts in which they had worked for Home Depot. See id. at 18-19. The court was unable, however, to determine the appropriate district of transfer for all of the plaintiffs listed in the caption of the case, and therefore ordered plaintiffs to provide information to enable the court to group and transfer the plaintiffs' claims correctly. See id.

Pursuant to the court's Order, plaintiffs have filed information regarding the site of plaintiffs' employment with Home Depot. See Response to Order (Doc. No. 75). That filing specified the appropriate districts of transfer for the New York plaintiffs, and amended the classification of several non-New York plaintiffs. Based on the information provided by the plaintiffs, the court updates, amends, and implements its prior Order regarding transfer as follows:

1. The claims of “Massachusetts plaintiffs” Jeffrey Allan Caldwell, Jourden Johnson, Robert E. Kenney, Patricia La Flore, Connie M. Leathers, Herbert J. Lichtenstein, Liza Logan, Richard A. Main, Philip J. Martinos, Karen J. Obey, Richard F. Pavao, Lawrence Joseph Silipigni Jr., Dudley A. Smith, David Starr, and Elizabeth J. Wadden are hereby transferred to the District of Massachusetts.
2. The claims of “New Hampshire plaintiffs” William T. Gover and Frank Morris are hereby transferred to the District of New Hampshire.
3. The claims of Arthur R. Amash, Theodore Biagoiotti, Sheryl Glickman, Christin M. Holloway, Shaun H. Kimball, Joseph L. Pangoine, Jeffrey A. Repp, Charles R. Schneider, Richard A. Yingling, Jr., and Robert F. Yuskas are hereby transferred to the Northern District of New York.
4. The claims of Matthew C. Johnson and Michael C. Zawadzki are hereby transferred to the Western District of New York.
5. The claims of “Puerto Rico plaintiffs” Myrna Garcia, Antonio Rivera Melinder, and Luis J. Soto are hereby transferred to the District of Puerto Rico.
6. The claims of “Rhode Island plaintiff” John L. Marine are hereby transferred to the District of Rhode Island.
7. The claims of “Vermont plaintiff” Richard A. Bessette are hereby transferred to the District of Vermont.

8. The claims of Christopher Brehaut are hereby transferred to the Northern District of California.¹

SO ORDERED

Dated at Bridgeport, Connecticut, this 30th day of April, 2012.

/s/ Janet C. Hall
Janet C. Hall
United States District Judge

¹ Brehaut originally appeared to be a New York plaintiff, but plaintiffs now assert that he worked in Leandro, California, see Response to Order at 2, and request that his claims be transferred to the Northern District of California for coordination with the related action of Smalley et al. v. Home Depot U.S.A., Inc., No. 11-cv-2951-JCS, see id.